

ANNUAL INDEX, VOL. 42, 1987

All information is cited according to the number corresponding to the month of issue (1 for March, 2 for June, 3 for September, and 4 for December), followed by the page numbers.

ARTICLES AND OPINION PAGES

- | | | | |
|---|---------|--|---------|
| <i>Alternative Dispute Resolution and the Courts</i> | | <i>Dispute Resolution in the Asia/Pacific Region: The Australian Perspective</i> | |
| Parker Lee McDonald and | | Peter J. Perry | 2:32-38 |
| Robert W. Bivins | 2:58-61 | <i>Employee Drug Testing and the Arbitrator: What Are the Issues?</i> | |
| <i>Alternative Dispute Resolution: One Judge's Experience</i> | | Tia Schneider Denenberg and | |
| Louis A. Lavorato | 2:64-65 | Richard V. Denenberg | 2:19-31 |
| <i>Alternatives to Litigation in Trust and Probate Proceedings</i> | | <i>Fact-Based Mediation for the Construction Industry</i> | |
| Dominic J. Campisi | 3:30-35 | George Marcus and | |
| <i>Arbitration: A View from the Bench</i> | | Paula Marcus | 3:6-14 |
| Judith S. Kaye | 3:3-5 | <i>The Future of Arbitration</i> | |
| <i>Arbitration Has Worked at Exxon</i> | | Malcolm M. Lucas | 2:55-58 |
| Richard S. Lombard | 1:3-6 | <i>Grievance Arbitration by Arbitration Boards: A Survey of the Parties</i> | |
| <i>Arbitration of Intellectual Property Disputes under U.S. Law</i> | | Peter A. Veglahn | 2:47-54 |
| W. Michael Tupman | 4:3-12 | <i>Grievance Arbitration in Connecticut K-12 Public Education</i> | |
| <i>Arbitration of Real Estate Valuation Disputes: Strategies in Preparing and Proving the Case</i> | | Frank R. Annunziato | 3:46-57 |
| Melvin D. Kraft | 3:15-20 | <i>An Historical Overview of Interest Arbitration in the United States</i> | |
| <i>Consumer Arbitration as a Dispute Resolution Mechanism in Customer-Seller Disputes over Automobile Purchases</i> | | Homer C. La Rue | 4:13-22 |
| Richard Widdows | 1:17-24 | <i>Labor Arbitrator Selection and the Theory of Demand</i> | |
| <i>Delay in Arbitration Decisions</i> | | Nancy L. Kauffman and | |
| Garth L. Mangum | 3:58-59 | William L. McKee | 1:35-42 |
| <i>Discharge Arbitration and Reinstatement in the Province of Alberta</i> | | <i>The Mini-Trial: An Alternative Dispute Resolution Procedure</i> | |
| Allen Ponak | 2:39-46 | Lester Edelman and | |
| | | Frank Carr | 1:7-14 |

ANNUAL INDEX, VOL. 42, 1987

All information is cited according to the number corresponding to the month of issue (1 for March, 2 for June, 3 for September, and 4 for December), followed by the page numbers.

ARTICLES AND OPINION PAGES

- | | | | |
|---|---------|--|---------|
| <i>Alternative Dispute Resolution and the Courts</i> | | <i>Dispute Resolution in the Asia/Pacific Region: The Australian Perspective</i> | |
| Parker Lee McDonald and | | Peter J. Perry | 2:32-38 |
| Robert W. Bivins | 2:58-61 | <i>Employee Drug Testing and the Arbitrator: What Are the Issues?</i> | |
| <i>Alternative Dispute Resolution: One Judge's Experience</i> | | Tia Schneider Denenberg and | |
| Louis A. Lavorato | 2:64-65 | Richard V. Denenberg | 2:19-31 |
| <i>Alternatives to Litigation in Trust and Probate Proceedings</i> | | <i>Fact-Based Mediation for the Construction Industry</i> | |
| Dominic J. Campisi | 3:30-35 | George Marcus and | |
| <i>Arbitration: A View from the Bench</i> | | Paula Marcus | 3:6-14 |
| Judith S. Kaye | 3:3-5 | <i>The Future of Arbitration</i> | |
| <i>Arbitration Has Worked at Exxon</i> | | Malcolm M. Lucas | 2:55-58 |
| Richard S. Lombard | 1:3-6 | <i>Grievance Arbitration by Arbitration Boards: A Survey of the Parties</i> | |
| <i>Arbitration of Intellectual Property Disputes under U.S. Law</i> | | Peter A. Veglahn | 2:47-54 |
| W. Michael Tupman | 4:3-12 | <i>Grievance Arbitration in Connecticut K-12 Public Education</i> | |
| <i>Arbitration of Real Estate Valuation Disputes: Strategies in Preparing and Proving the Case</i> | | Frank R. Annunziato | 3:46-57 |
| Melvin D. Kraft | 3:15-20 | <i>An Historical Overview of Interest Arbitration in the United States</i> | |
| <i>Consumer Arbitration as a Dispute Resolution Mechanism in Customer-Seller Disputes over Automobile Purchases</i> | | Homer C. La Rue | 4:13-22 |
| Richard Widdows | 1:17-24 | <i>Labor Arbitrator Selection and the Theory of Demand</i> | |
| <i>Delay in Arbitration Decisions</i> | | Nancy L. Kauffman and | |
| Garth L. Mangum | 3:58-59 | William L. McKee | 1:35-42 |
| <i>Discharge Arbitration and Reinstatement in the Province of Alberta</i> | | <i>The Mini-Trial: An Alternative Dispute Resolution Procedure</i> | |
| Allen Ponak | 2:39-46 | Lester Edelman and | |
| | | Frank Carr | 1:7-14 |

<i>A Model for Union-Management Cooperative Arrangements</i>	
Waymond Rodgers and Bobby Davis	4:33-37
<i>A Nonlitigational Approach to Conflict Resolution: The Medical Center as a Model</i>	
Merle Waxman	1:25-34
<i>Recent Cases under the New York No-Fault Arbitration Law</i>	
Roger F. Mooney	4:38-46
<i>Reinstatement without Back Pay—An Appropriate Remedy?</i>	
John C. Shearer	4:47-52
<i>Res Judicata and Collateral Estoppel</i>	
Arthur D. Spatt	2:61-64

<i>Securities Arbitration: Preparation and Presentation</i>	
David E. Robbins	2:3-14
<i>Strategies for Dealing with AIDS Disputes in the Workplace</i>	
Robert E. Stein	3:21-29
<i>The Truth about Arbitrators' Treatment of Polygraph Tests</i>	
Herman A. Theeke and Tina M. Theeke	4:23-32
<i>Underinsured Motorist Coverage: The New York Experience</i>	
Neil A. Goldberg and Laurence D. Behr	3:36-45
<i>Using Expert Witnesses in Commercial Arbitration</i>	
Jerry Householder	1:43-46

BOOK REVIEWS

<i>ARBITRATION AND RENEGOTIATION OF INTERNATIONAL INVESTMENT AGREEMENTS</i>	
Reviewed by J. Stewart McClendon	1:49-51
<i>ARBITRATION STRATEGY AND TECHNIQUE</i>	
Reviewed by Raphael Mur	1:47-48
<i>BUSINESS MEDIATION—WHAT YOU NEED TO KNOW</i>	
Reviewed by David A. Botwinik	3:60
<i>INTERNATIONAL ARBITRATION: THREE SALIENT PROBLEMS</i>	
Reviewed by Andreas F. Lowenfeld	4:53-57
<i>MANAGEMENT RIGHTS: A LEGAL AND ARBITRAL ANALYSIS</i>	
Reviewed by William A. Babiskin	1:48-49

<i>THE MANAGER AS NEGOTIATOR</i>	
Reviewed by Robert Coulson	2:67
<i>MEDIATION: CONTEXTS AND CHALLENGES</i>	
Reviewed by Joseph B. Stulberg	2:67-69
<i>RESOLVING SECURITIES DISPUTES</i>	
Reviewed by David T. Harmon	2:66
<i>TAKING CHARGE/MANAGING CONFLICT</i>	
Reviewed by Donald L. Carper	4:57-58
<i>EASTMAN ARBITRATION LIBRARY</i>	
	1:53-56; 2:15-18; 3:61-63; 4:59-61
<i>PRESIDENT'S LETTER</i>	1:2, 2:2, 3:2, 4:2
<i>REVIEW OF COURT DECISIONS</i>	
	1:57-62; 2:70-76; 3:64-71; 4:62-67

SUBJECT INDEX

AAA Eastman Arbitration Library, 1:53-56, 2:15-18, 3:61-63, 4:59-61	Army Corps of Engineers, 1:7-14	Back pay, reinstatement and, 4:47-52
AAA Mini-Trial Procedures, 1:15-16	Asia/Pacific region, dispute resolution in, 2:32-38	
Advocate arbitrators, 2:47-54	Australia, dispute resolution in, 2:32-38	Canadian discharge arbitration, 2:39-46
AIDS disputes, 3:21-29	Automobile insurance, no-fault, 4:38-46; underinsured motorists, 3:36-45	Collateral estoppel, 2:61-64
Arbitration boards, 2:47-54	Automobile sales disputes, 1:17-24	Commercial arbitration, expert witnesses and, 1:43-46
Arbitration strategies, 1:47-48	Awards, delays in, 3:58-59	Conflict management, 4:57-58
Arbitrator selection, labor, 1:35-42		Connecticut public school grievances, 3:46-57

- Construction disputes, 3:6-14
 Consumer arbitration, over automobiles, 1:17-24
 Copyrights, 4:8-9
 Corporate dispute resolution, 1:2, 1:3-6
 Courts, alternative dispute resolution and, 2:55-65, 3:3-5; Australian commercial, 2:33-35; probate, 3:30-35
- Delays, in arbitration decisions, 3:58-59
 Demand theories, 1:35-42
 Discharge arbitration, in Canada, 2:39-46
 Divorce, mediation and, 2:64-65
 Drug testing, 2:19-31
- Education grievances, in Connecticut, 3:46-57
 Expert witnesses, in commercial arbitration, 1:43-46
 Exxon, 1:3-6
- Future of arbitration, 2:55-58
- Grievances, arbitration boards and, 2:47-54; of discharges, in Canada, 2:39-46; public education, in Connecticut, 3:46-57
- Insurance, auto, no-fault, 4:38-46; underinsured motorists, 3:36-45
 Intellectual property, 4:3-12
 Interest arbitration, 4:13-22
 International arbitration, 1:49-51, 2:32-38, 4:53-57
 Investment agreements, international, 1:49-51
- Labor arbitration boards, 2:47-54
 Labor arbitrator selection, 1:35-42
 Labor-management cooperation, 4:33-37
- Management, cooperation with union, 4:33-37; negotiation and, 2:67; rights of, 1:48-49
 Mediation, business, 3:60; construction industry, 3:6-14; divorce cases, 2:64-65; generally, 2:67-69, 4:57-58
 Medical centers, 1:25-34
 Mini-trials, 1:7-16
- Negotiation, and management, 2:67
 New York, insurance disputes in, 3:36-45, 4:38-46
 No-fault auto insurance, 4:38-46
- Ombudsmen, 1:25-34
- Patents, 4:4-7
 Polygraphs, 4:23-32
 Probate cases, 3:30-35
- Real estate valuation disputes, 3:15-20
 Reinstatement, in Canada, 2:39-46; without back pay, 4:47-52
 Res judicata, 2:61-64
- Securities disputes, 2:2, 2:3-14, 2:15-18, 2:66
 Semiconductor chips, 4:9-10
- Testing, AIDS, 3:26; drug, 2:19-31; polygraphs, 4:23-32
 Trademarks, 4:7-8
 Tripartite boards, 2:47-54
- Underinsured motorist coverage, 3:36-45
 Union-management cooperation, 4:33-37
- Wills, 3:30-35
 Witnesses, expert, 1:43-46

INDEX OF AUTHORS

- Annunziato, Frank R., 3:46-57
- Babiskin, William A., 1:48-49
 Behr, Laurence D., 3:36-45
 Bivins, Robert W., 2:58-61
 Botwinik, David A., 3:60
- Campisi, Dominic J., 3:30-35
 Carper, Donald L., 4:57-58
 Carr, Frank, 1:7-14
 Coulson, Robert, 2:67
- Davis, Bobby, 4:33-37
 Denenberg, Richard V., 2:19-31
- Denenberg, Tia Schneider, 2:19-31
- Edelman, Lester, 1:7-14
- Goldberg, Neil A., 3:36-45
- Harmon, David T., 2:66
 Householder, Jerry, 1:43-46
- Kauffman, Nancy L., 1:35-42
 Kaye, Judith S., 3:3-5
 Kraft, Melvin D., 3:15-20
- La Rue, Homer C., 4:13-22
 Lavorato, Louis A., 2:64-65
 Lombard, Richard S., 1:3-6
 Lowenfeld, Andreas F., 4:53-57
 Lucas, Malcolm M., 2:55-58
- McClendon, J. Stewart, 1:49-51
 McDonald, Parker Lee, 2:58-61
 McKee, William L., 1:35-42
 Mangum, Garth L., 3:58-59
 Marcus, George, 3:6-14
 Marcus, Paula, 3:6-14
 Mooney, Roger F., 4:38-46

Mur, Raphael, 1:47-48

Perry, Peter J., 2:32-38
Ponak, Allen, 2:39-46

Robbins, David E., 2:3-14
Rodgers, Waymond, 4:33-37

Shearer, John C., 4:47-52
Spatt, Arthur D., 2:61-64
Stein, Robert E., 3:21-29
Stulberg, Joseph B., 2:67-69

Theeke, Herman A., 4:23-32
Theeke, Tina M., 4:23-32

Tupman, W. Michael, 4:3-12

Veglahn, Peter A., 2:47-54

Waxman, Merle, 1:25-34
Widdows, Richard, 1:17-24

CASE INDEX

ALTERNATIVE DISPUTE RESOLUTION

Rothchild v. Diamond, 1:62

COMMERCIAL

Diskin v. J. P. Stevens & Co., 2:74 [textiles]
Goldfinger v. Lisker, 2:75 [arbitrator misconduct]
Guetta v. Raxon Fabrics Corp., 2:72-73 [employment contract]
Norris v. Grosvenor Marketing Ltd., 2:74-75 [sale contract]
Perry v. Thomas, 4:62 [employment contract]
Saturday Evening Post Co. v. Rumbleseat Press, Inc., 4:67 [copyright validity]
Teradyne, Inc. v. Mostek Corp., 1:58-59 [sale contract]

CONSTRUCTION

Botting Plumbing and Heating Co. v. Constructors-Pamco, 4:66-67.
Coughlan Construction Co. v. Town of Rockport, 3:67
Halvorson-Mason Corp. v. Emerick Construction Co., 2:74
John F. Harkins Co., Inc. v. Waldinger Corp., 2:73
Microwave Antenna Systems & Technology, Inc. v. Whitney-Pehl Construction Co., 2:73-74
O & G/O'Connell Joint Venture v. Chase Family Limited Partnership, 4:66

DOMESTIC RELATIONS

DeLorean v. DeLorean, 1:58
Egol v. Egol, 3:71
Masters v. Masters, 1:58

INSURANCE

Sarchett v. Blue Shield of California, 3:68
Security Insurance Co. of Hartford v. DeLaurentis, 3:67-68

INTERNATIONAL

Bauhinia Corp. v. China National Machinery & Equipment Import & Export Corp., 4:63-64
Brandeis Intsel Ltd. v. Calabrian Chemicals Corp., 4:65
Genesco, Inc. v. Kakiuchi & Co., 3:69-70
In re Hops Antitrust Litigation, 3:69
National Iranian Oil Co. v. Ashland Oil, Inc., 1:57, 4:63
Northrop Corp. v. Triad International Marketing, S.A., 3:70
Societe Nationale Algerienne pour la Recherche, la Production, le Transport, la Transformation et la Commercialisation des Hydrocarbures v. Distrigas Corp., 3:70-71
Stendig International, Inc. v. B. & B. Italia, S.p.A., 1:57
Tehran-Berkeley Civil & Environmental Engineers v. Tippetts-Abbett-McCarthy-Stratton, 4:65-66.

LABOR

Andrews v. Education Association of Cheshire, 3:66
Association of Flight Attendants v. Republic Airlines, 1:60-61
Baldracchi v. Pratt & Whitney Aircraft Division, United Technologies Corp., 3:65
Bechtel Construction, Inc. v. Laborers International Union of North America, AFL-CIO, 3:66-67
Darden v. Illinois Bell Telephone Co., 1:59-60
Department of Public Safety v. Public Safety Employees Association, 4:64
DeSoto v. Yellow Freight Systems, Inc., 3:65-66
Dreis & Krump Manufacturing Co. v. International Association of Machinists and Aerospace Workers, District No. 8, 1:60
Harding v. United States Postal Service, 2:71
Hill v. Norfolk and Western Railway Co., 4:64-65
In re Hotel Da Vinci, 1:59
International Organization of Masters, Mates & Pilots v. Trinidad Corp., 2:72

Pitta v. Hotel Association of New York City, Inc., 2:72
United States Postal Service v. National Association of Letter Carriers, 3:67
Walsh v. Union Pacific Railroad Co., 2:71

MEDICAL MALPRACTICE

McKinstry v. Valley Obstetrics-Gynecology Clinic, P.C., 3:68-69

SECURITIES

Baker v. Paine, Webber, Jackson & Curtis, Inc., 1:61

Flanagan v. Prudential-Bache Securities, Inc., 1:61
Fraser v. Merrill Lynch, Pierce, Fenner & Smith, Inc., 4:62-63
Merrill Lynch, Pierce, Fenner & Smith, Inc. v. Bobker, 2:70-71
Sevinor v. Merrill Lynch, Pierce, Fenner & Smith, Inc., 2:70
Shearson/American Express, Inc. v. McMahon, 3:64-65

TORT

Demirgian v. Superior Court (Leach), 2:76
Izzy v. Mesquite Country Club, 2:75-76

How to Get Justice Without Going to Court

BEFORE YOU SUE

How a
lawsuit works

How to choose a
good lawyer

How to make
your lawyer work
for you

How to resolve
disputes without
going to court

What is
mediation?
How to choose
the best mediator
for your case

How to save thousands of dollars in legal fees

Listing of dispute resolution
centers nationwide

**Fletcher Knebel and
Gerald S. Clay**

"Instead of rushing into a lawsuit to sue..., no matter how long it takes in money, time, and effort, the goal must be to settle this thing and get on with life.... Costly, tedious, and energy-draining lawsuits are a luxury a debt-ridden nation can no longer afford."

From **Before You Sue**

Bestselling author Fletcher Knebel and attorney (and AAA panelist) Gerald S. Clay have collaborated on this compelling new book.

Before You Sue chronicles the progress of two similar cases of executives at loggerheads with their relatives over business contracts. One woman reaches a hard-fought compromise with her boss at the end of six weeks (and also launches a new business venture with his support); the other struggles through tangled legal maneuvering only to reach a settlement of her lawsuit, four-and-a-half years later.

Before You Sue will convince you, in a highly readable and common-sense way, that formal litigation is no longer the preferable method for successfully resolving your dispute—mediation offers a faster, cheaper, and less agonizing route to justice.

Hardcover, 310 pp., 1987. Published by William Morrow & Co., Inc. Available from the AAA. \$16.95/\$14.95 for AAA dues-paying members. A \$3.00 handling charge is applicable if orders are not prepaid. To order, write to the Publications Department, AAA, 140 West 51st St., New York, NY 10020-1203, or call 212-484-4009, toll-free 800-333-3303.

